

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY  
RE: DEVELOPMENT PROPOSAL FOR PARCEL 2, AGREEMENT BETWEEN  
BOSTON REDEVELOPMENT AUTHORITY AND THE TRUSTEES OF THE CHURCH  
REALTY TRUST  
FENWAY URBAN RENEWAL AREA, PROJECT NO. MASS. R-115

WHEREAS, Chapter VII, Section 702, of the Fenway Urban Renewal Plan, a document dated November 1, 1965, and recorded with Suffolk Deeds, Book 8327, Page 660, requires a developer to develop land in compliance with the regulations and controls of the Plan; and

WHEREAS, the Fenway Urban Renewal Plan, in Chapter VI and in the proposal agreement and Exhibit D limited the development of Parcel 2 to Residential, Commercial on the lower floors; and

WHEREAS, according to Section 1201, Chapter XII, of the Fenway Urban Renewal Plan, minor modifications are allowed without Federal, State, and local approvals; and

WHEREAS, Section 202, Sub-Section B-VII, of the proposal agreement by and between the Boston Redevelopment Authority and Church Realty Trust, dated February 26, 1969, requires written approval by the Authority to the Trustees of the Church Realty Trust before they can convey a parcel; and

WHEREAS, Section 202, Sub-Section VIII of the proposal agreement also requires a regulatory agreement to be entered into by the Authority and the developer, with said agreement to embody the provisions and objectives of the Fenway Urban Renewal Plan; and

WHEREAS, Section 202, Sub-Section BIV, of the proposal agreement requires first stage design review approval; and

WHEREAS, the Trustees of the Colonnade Trust have agreed to enter into a regulatory agreement between the Boston Redevelopment Authority and to abide by all the provisions therein, including all securities so specified;

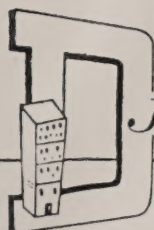
NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Director be and is authorized to execute an amendment to Table B, Page 24, of the Fenway Urban Renewal Plan, and to Exhibit D of the proposal agreement by and between the Boston Redevelopment Authority and the Trustees of the Church Realty Trust, allowing the development of transient housing on Parcel 2;

2. That the Director be and is authorized to officially inform the Trustees of Church Realty Trust that the Boston Redevelopment Authority approves of their conveyance of Parcel 2 to the Colonnade Trust;

3. That the Director be and is authorized to enter into a regulatory agreement with the Trustee of Colonnade Trust provided that said agreement conforms to the provisions and objectives of the Fenway Urban Renewal Plan; and

4. That the Boston Redevelopment Authority approves of and accepts the plans submitted in fulfillment of the first stage design review requirements, but reserves all rights to disapprove of more detailed working drawings and elevations when submitted according to the schedule as set forth in the "Regulatory Agreement". The Boston Redevelopment Authority reserves all legal and equitable remedies if these plans to be submitted are improperly drawn or do not meet with their design review approval.



# JOHN DRUKER & SON

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INVESTMENTS • MANAGEMENT • FINANCING • CONSTRUCTION • •

JOHN DRUKER  
BERTRAM A. DRUKER

ROOM 600 • 50 STATE STREET • BOSTON, MASS. 02109  
Lafayette 3-8060

December 10, 1969

Boston Redevelopment Authority  
New City Hall - Room 900  
One City Hall Square  
Boston, Massachusetts 02201

Re: Colonnade Trust - Parcel 2 - Fenway Urban Renewal Area  
Boston, Massachusetts

Gentlemen:

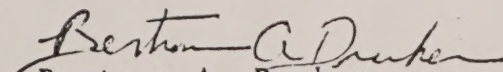
As your Staff has been informed, I anticipate that title to Parcel 2 in the Fenway Urban Renewal Area will be conveyed by Church Realty Trust, the present owner of the parcel, to me in the immediate future, subject only to your agreement with me upon a form of Regulatory Agreement to which reference is hereinafter made.

Your Staff and my counsel have agreed upon a form of Regulatory Agreement which will govern the development of Parcel 2. A copy of the proposed form of Regulatory Agreement is attached to this letter.

They will confirm my agreement with the Authority, to become effective if conveyance to me of Parcel 2 is made, and the Authority executes the Regulatory Agreement in the form annexed, both during the month of December, 1969, as follows:

1. I will execute the form of Regulatory Agreement annexed hereto concurrently with acceptance of conveyance;
2. I will arrange to name the Authority as a party-obligee on the Performance Bond to be given by the Contractor to secure performance of the General Contractor's Construction Contract for the construction of the hotel proposed to be built on Parcel 2; and
3. The plans and specifications according to which construction is to take place under the Construction Contract shall be identical to those presented to and approved by the Authority, to the extent approval of plans and specifications for construction is called for by the Regulatory Agreement.

Yours very truly,

  
Bertram A. Druker

BAD:sl  
(Attachment)

MEMORANDUM

DECEMBER 11, 1969

TO: Boston Redevelopment Authority

FROM: John D. Warner, Director

SUBJECT: DEVELOPMENT PROPOSAL FOR PARCEL 2  
FENWAY URBAN RENEWAL AREA ( MASS. R-115)  
AGREEMENT BETWEEN BOSTON REDEVELOPMENT AUTHORITY  
AND THE TRUSTEES OF THE CHURCH REALTY TRUST

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SUMMARY: This memorandum requests Authority approval of a minor modification of the Fenway Urban Renewal Plan and the Cooperation Agreement between the Boston Redevelopment Authority and the Church Realty Trust in regard to Parcel 2 in the Fenway Area. This memo also requests Authority approval of the following: plans submitted by Colonnade Trust in order to fulfill design review requirements; authority to enter into a regulatory agreement with the Trustee of Colonnade Trust; and authority to inform the Trustees of Church Realty Trust that they have Authority approval to convey Parcel 2 to Colonnade Trust.

Under the terms of the Fenway Urban Renewal Plan, Disposition Parcel 2 is now designated in Table B at page 24 of the Plan for Permitted Land Use as follows: Residential; Commercial on lower floors. A new proposal has been received from Bertram Druker, acting as trustee for Colonnade Trust, which will call for the development of approximately 300 transient housing units on Parcel 2 in lieu of the 250-300 residential units for which the parcel was initially designated. The proposed developer of transient housing on Parcel 2, which is now owned by the Church Realty Trust, is the operator of the Mid-Town Motor Inn and will agree to cancellation of his present lease in order to allow Church Realty Trust to discontinue the Motor Inn and to convey or lease to a redeveloper this site for the construction of residential housing. To this end, a Memorandum of Understanding has been entered into between the Director and Church Realty Trust in order to assure the construction of residential housing on the present Mid-Town Motor Inn site as soon as is economically feasible.

In order to assess the need for transient housing in the Fenway, an independent study was conducted by Hunneman and Company, Inc. which found and determined that there exists in the area covered by the Fenway Urban Renewal Plan a need for additional units of hotel or other housing for transient use. The City Council, on July 28, 1969, by Resolution, which was approved by the Mayor on July 29, 1969, determined that there does exist within the Fenway Urban Renewal Area the need for additional units of transient housing. This determination is required by HUD regulations prior to any plan change to accommodate additional hotel units.

Since we have received an opinion from Special Counsel that a plan change to allow a hotel on Parcel 2 would be a minor change and subject only to BRA approval, an amendment to change the use of Parcel 2 to include hotel development would not be subject to Federal, State and local approvals. This opinion is based on criteria suggested in the Urban Renewal Handbook, RHA 7207.1, and similar language embodied in Chapters II and III of the Fenway Urban Renewal Plan.

For the past several months, Mr. Irving Salzberg, architect for Colonnade Motel, has been working with our design review staff in order to fulfill the design review requirements of the Fenway Urban Renewal Plan and the Cooperation Agreement made by and between the Boston Redevelopment Authority and the Trustees of the Church Realty Trust. General approval and agreement has been reached in regard to the design character of the project. This general approval will enable an early construction start, but more refined drawings and elevations will be required before construction proceeds beyond the detail of the present drawings. The submission and extent of the drawings will be governed by the terms of the "Regulatory Agreement" by and between the Boston Redevelopment Authority and the Trustee of the Colonnade Trust.

It is felt that the Christian Science Church and Bertram A. Druker have diligently labored in getting this proposal to a form which will allow a construction start in the very near future. It is also felt that this plan change is consistent with the plans and objectives of the Fenway Plan itself, and that the development proposal is worthy of approval.

An appropriate resolution is attached.

Attachment

